

REMARKS

Claims 1 to 22 are pending in this application. Claims 1-22 are subject to restriction under 35 U.S.C. § 121.

Restriction Requirement

The present Office Action requires restriction among the following groups:

- Group I: Claims 1-11, drawn to a method for treating an ocular disease by administering a therapeutically effective amount of a collectin, classified in class 514, subclass 2.
- Group II: Claims 12-15 and 19, drawn to an ophthalmic composition comprising a collectin and a kit formulation thereof, classified in class 514, subclass 350.
- Group III: Claims 16-18, drawn to an antimicrobial lens comprising a collectin, classified in class 351, subclass 159.

According to MPEP § 803, there are two criteria for a proper requirement for restriction between patentably distinct inventions:

- (A) The inventions must be independent (see MPEP § 802.01, § 806.04, § 808.01) or distinct as claimed (see MPEP § 806.05-§ 806.05(i)); and
- (B) There must be a serious burden on the examiner if restriction is required (see MPEP § 803.02, § 806.04(a) to § 806.04(i), § 808.01(a), and § 808.02).

Applicants traverse the requirement and respectfully submit that Groups I-III should be rejoined because examination of all of the claims together would not impose a serious burden on the Examiner. At the very least, Applicants respectfully request that groups I and III be rejoined. Applicants respectfully submit that a search for art related to methods of treating an ocular disease with a collectin would uncover art related to antimicrobial lenses.

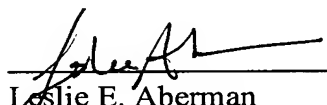
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To be fully responsive, however, Applicants hereby elect the claims of Group I (claims 1-11) while reserving the right to prosecute the claims of non-elected groups in future continuing or divisional applications.

Applicants respectfully submit that the present application is in condition for allowance. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided. Favorable consideration and an early notice of allowance are respectfully requested.

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